09- O -2018

AN ORDINANCE
BY FINANCE/EXECUTIVE COMMITTEE

AN ORDINANCE AUTHORIZING THE MAYOR OR HER DESIGNEE TO
WAIVE THE PAYMENT PROVISIONS CONTAINED IN THE CITY OF
ATLANTA CODE OF ORDINANCES, ARTICLE X, PROCUREMENT AND
REAL ESTATE CODE, TO RATIFY THE PRIOR PROVISION OF SUPPORT
SERVICES BY INTERNATIONAL BUSINESS MACHINES CORPORATION
SINCE JULY 1, 2009 FOR HARDWARE AND SOFTWARE MAINTENANCE
AND SUPPORT, ON BEHALF OF THE DEPARTMENT OF INFORMATION
TECHNOLOGY IN AN AMOUNT NOT TO EXCEED ONE HUNDRED FIFTY-
ONE THOUSAND, ONE HUNDRED SEVENTY-FOUR DOLLARS AND SEVEN
CENTS ($151,174.07) ALL CONTRACTED WORK SHALL BE CHARGED TO
AND PAID FROM FUND, DEPARTMENT ORGANIZATION AND ACCOUNT
NUMBER 1001 (GENERAL FUND) 050212 (IT SERVER MANAGEMENT)
5222002 (REPAIR & MAINTENANCE-EQUIPMENT) 1535000 (DATA
PROCESSING/ MANAGEMENT INFORMATION SYSTEM); AND FOR OTHER
PURPOSES.

WHEREAS, the City of Atlanta ("City") entered into an agreement with International
Business Machines Corporation ("IBM") for a Thirty-Six (36) month blanket purchase
order for hardware and software purchases, maintenance and support, pursuant to
Resolution 05-R-1537 adopted by the Atlanta City Council on September 6, 2005 and
approved by the Mayor on September 12, 2005; and

WHEREAS, the maintenance on the hardware expired on various dates in 2008
corresponding to when the hardware was put into service and IBM has continued to
provide services that are necessary functions for the City after the expiration date; and

WHEREAS, the Chief Procurement Officer and the Chief Information Officer have
determined that it is in the City's best interests to ratify the prior provision of services to
capture any contractual rights and remedies that would have been available to the City
and to authorize payment for services rendered after contract expiration; and

WHEREAS, the City has an ongoing need for the maintenance and support services and
has located a new cooperative purchase agreement for the same services for which
legislation will be submitted for Council consideration; and

WHEREAS, the price of the prior provision of maintenance and support services
through December 15, 2009 is in an amount not to exceed One Hundred Fifty-One
Thousand, One Hundred Seventy-Four Dollars and Seven Cents ($151,174.07) all
contracted work shall be charged to and paid from Fund, Department Organization and
Account Number 1001 (General Fund) 050212 (It Server Management) 5222002 (Repair
& Maintenance-Equipment) 1535000 (Data Processing/ Management Information
System); and

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS, as follows:

SECTION 1: That the City's actions in accepting and paying for services provided by IBM from July 1, 2009, through December 14, 2009 are ratified and confirmed.

SECTION 2: That the Chief Financial Officer is authorized to remit payment to IBM for services rendered in an amount not to Exceed One Hundred Fifty-One Thousand, One Hundred Seventy-Four Dollars and Seven Cents ($151,174.07), all contracted work shall be charged to and paid from Fund, Department Organization and Account Number 1001 (General Fund) 050212 (IT Server Management) 5222002 (Repair & Maintenance-Equipment) 1535000 (Data Processing/ Management Information System);.

SECTION 3: That all Ordinances or parts of Ordinances in conflict with this Ordinance, including but not limited to Article X, Division 4, Encumbrances Required for Contracts, are waived for this instance only.

IBM Schedule for Services

This Schedule contains a listing of the Eligible Machines at the Specified Locations identified below for which we will provide the identified Services as described in the referenced Statement of Work. These terms are in addition to those of the referenced Statement of Work and IBM International Customer Agreement (or any equivalent signed by both of us and identified below).

Name and Address of Customer:

CITY OF ATLANTA
DATA PROCESSING
GLENN HUNT
55 TRINITY AVE SW
STE 775
ATLANTA   GA 30303-3520

Business Partner Name and Address:

Customer Billing Address:

CITY OF ATLANTA
COA DEPT OF FINANCE
ACCOUNTS PAYABLE
68 MITCHELL ST SW RM 600
ATLANTA   GA 30303-3520

Agreement Number:	HQ12291
Statement of Work Number:	AZ6B02
Customer Number:	00603011

Revised Schedule (Yes/No):	No
Schedule Effective Date:	09/03/2009
Proposal Reference Date:	

A6BGGT

Charge Period Charges / Payment Plan (Inclusive of MES):

		Charge Period:	
WSU One Time Charges:	0.00	**Maintenance Charges:**	152,505.62	**Start Date:**	07/01/2009
SWMA ALF One Time Charges:	8,894.10	**Service Charges:**	42,312.73	**End Date:**	06/30/2010
MMS for CISCO HW One Time Charges:	0.00				
One Time Charges:	0.00	**TOTAL CHARGE PERIOD CHARGES:**	203,712.45		
		Quarterly		[1] **Accumulated Adjustment Invoicing option:** N	

Contract Term:	3 Year(s)	101,856.37
Type of Discount(s) Applied: Term Incentive		

$$151,174.07 - ORDINANCE

$4

The Parties need not to sign this Schedule, unless either of us requests it.

* Charges are based on the current inventory and services identified in this Schedule. Actual charges may vary with any additions, deletions, or changes to the inventory or services. Any applicable taxes are not included in the charge amounts herein but will be added to your invoice.

* For a Machine subject to usage charges, in addition to the Service charge identified herein, you will be separately billed for usage in accordance with applicable usage rates and billing cycles.

IBM Schedule for Services

Agreed to:

CITY OF ATLANTA

By: _____
          Authorized signature

Name (type or print): _____

Date: _____

Agreed to:

International Business Machines Corporation

By: _____
          Authorized signature

Name (type or print): _____

Date: _____

IBM Schedule for Services

Enterprise Total for Charge Period by Customer Number Inclusive of MES:

Customer No.	Customer Name	Customer Location	Charges [4]
00602800	CITY OF ATLANTA	150 GARNETT ST, CITY COURT BLDG, ATLANTA GA 30303-3612	68,665.32
00603011	CITY OF ATLANTA	55 TRINITY AVE SW, STE 775, ATLANTA GA 30303-3520	126,153.03
Total			**194,818.35**

Note: One Time Charges are not included in the Total

IBM Schedule for Services

Maintenance Machine List

------Eligible Machine Description------

Mfg	Type	Mod/ Feat	Add/ Rem	Order/ Serial Number	Related Order/ Serial Number	Product Description	Qty.	Type of Svc²	Maint Svc³	Charges⁴	Charges Start⁵	Charges Stop⁶
Specified Location: 00602800						**City, State: ATLANTA**			**GA 30303-3612**			
IBM	1710	10U		0013T6286		DS4000 EXP100 STORAGE EXPAN	1	B	1	2,495.33		
IBM	1710	10U		0013T7693		DS4000 EXP100 STORAGE EXPAN	1	B	1	2,495.33		
IBM	1722	60U		0013H2752		DS4300 MIDRANGE DISK (60U)	1	B	1	2,376.50		
IBM	1740	710		001304023		DS4000 EXP710 STRG. EXP.UNIT	1	B	1	718.65		
IBM	1740	710		001304024		DS4000 EXP710 STRG. EXP.UNIT	1	B	1	718.65		
IBM	1740	710		00130911A		DS4000 EXP710 STRG. EXP.UNIT	1	B	1	718.65		
IBM	1742	90U		0013F2886		DS4500 MIDRANGE DISK SYSTEM	1	B	1	1,101.72		
IBM	2005	B16		001047088		SAN16B-2	1	B	1	409.20		
IBM	2005	B16		001047090		SAN16B-2	1	B	1	409.20		
IBM	2005	B16		001047502		SAN16B-2	1	B	1	409.20		
IBM	2005	B16		001047505		SAN16B-2	1	B	1	409.20		
IBM	2005	B16		001072393		SAN16B-2	1	B	1	409.20		
IBM	2005	B32		001072398		SAN32B-2	1	B	1	1,909.74		
IBM	3576	L5B		000001541		TS3310 TAPE LIBRARY	1	B	1	4,654.20		
IBM	3583	L36		000025968		ULTRIUM TAPE LIBRARY	1	B	1	8,224.68		
IBM	7310	CR3		00008253A		RACK-MOUNTED HMC	1	B	1	581.76		
IBM	9113	550		0000E2BCB		IBM ESERVER P5 550	1	B	1	1,676.88		
IBM	9117	570		00002C6DE		ESERVER	1	B	1	25,928.64		
Subtotal Without MES										57,147.27		
Subtotal With MES										57,147.27		
Specified Location: 00603011						**City, State: ATLANTA**			**GA 30303-3520**			
IBM	1710	10U		0013T6216		DS4000 EXP100 STORAGE EXPAN	1	B	1	2,495.33		
IBM	1710	10U		0013T7692		DS4000 EXP100 STORAGE EXPAN	1	B	1	2,495.33		
IBM	1722	60U		0013H2751		DS4300 MIDRANGE DISK (60U)	1	B	1	2,376.50		
IBM	1740	710		001303710		DS4000 EXP710 STRG. EXP.UNIT	1	B	1	718.65		
IBM	1740	710		001303711		DS4000 EXP710 STRG. EXP.UNIT	1	B	1	718.65		
IBM	1740	710		001303712		DS4000 EXP710 STRG. EXP.UNIT	1	B	1	718.65		

See Legend for Details

Maintenance Machine List

-------Eligible Machine Description-------

Mfg	Type	Mod/Feat	Add/Rem	Order/Serial Number	Related Order/Serial Number	Product Description	Qty.	Type of Svc²	Maint. Svc³	Charges⁴	Charges Start⁵	Charges Stop⁶
IBM	1740	710		001303713		DS4000 EXP710 STRG. EXP.UNIT	1	B	1	718.65		
IBM	1740	710		001303714		DS4000 EXP710 STRG. EXP.UNIT	1	B	1	718.65		
IBM	1740	710		00130908Y		DS4000 EXP710 STRG. EXP.UNIT	1	B	1	718.65		
IBM	1740	710		00130908Z		DS4000 EXP710 STRG. EXP.UNIT	1	B	1	718.65		
IBM	1815	84A		0013B4291		DS4800 DISK SYSTEM MOD 84	1	B	1	4,528.66		
IBM	3584	L52		000019460		TAPE LIBRARY BASE FRAME	1	B	1	4,175.04		
IBM	7310	CR3		0000A098A		RACK-MOUNTED HMC	1	B	1	581.76		
IBM	9113	550		0000E2BDB		IBM ESERVER P5 550	1	B	1	2,310.00		
IBM	9113	550		0000E2BEB		IBM ESERVER P5 550	1	B	1	2,310.00		
IBM	9115	505		000021B0A		SYSTEM P5	1	B	1	454.37 WH	12/12/2009	
IBM	9115	505		000021B1A		SYSTEM P5	1	B	1	454.37 WH	12/12/2009	
IBM	9117	570		0000FC44F		ESERVER	1	B	1	34,073.22		
IBM	9117	570		0000FC45F		ESERVER	1	B	1	34,073.22		

Subtotal Without MES   95,358.35

Subtotal With MES   95,358.35

Total Charge Period Charges for Maintenance Machine List Without MES $152,505.62

Total Charge Period Charges for Maintenance Machine List With MES $152,505.62

See Legend for Details

IBM Schedule for Services

Customer Technical Contact Name (if applicable):
Customer Primary Technical Contact name :
Customer Primary Technical Contact phone number :

Services List

------Eligible Machine Description------

Specified Location: 00602800   **City, State: ATLANTA   GA 30303-3612**

Type	Model	Serial/ Order Number	Support Service	Product Group / Service Option	Qty.	Charges [4]	Services Start	Charges Start [5]	Charges Stop [5]
			SWMA FOR AIX	SUBSCRIPTION					
				SUPPORT					
				E5					
				NUMBER OF PROCESSORS	2	1,151.75			
				FULL SHIFT	1				
9113	550	0000E2BCB	SWMA FOR AIX	SUPPORT					
				SUBSCRIPTION					
				F5					
				NUMBER OF PROCESSORS	6				
				NUMBER OF PROCESSORS	6	10,366.30			
				FULL SHIFT	1				
9117	570	00002C6DE	SWMA FOR AIX ALF	AFTER LICENSE FEE					
				CUST NOT CURRENT 3-4 MTHS					
				NUMBER OF PROCESSORS	2	157.50 O			
				E5					
9113	550	0000E2BCB	SWMA FOR AIX ALF	AFTER LICENSE FEE					
				CUST NOT CURRENT > 12 MTHS					
				NUMBER OF PROCESSORS	6	4,356.00 O			
				NUMBER OF PROCESSORS	6				
				F5					

See Legend for Details

Services List

-------Eligible Machine Description--------

Specified Location: 00603011   **City, State: ATLANTA   GA 30303-3520**

Type	Model	Serial/ Order Number	Support Service	Product Group / Service Option	Qty.	Charges⁴	Services Start	Charges Start⁵	Charges Stop⁶
9117	570	0000FC44F	SWMA FOR AIX	SUBSCRIPTION SUPPORT		423.87	12/12/2009	12/12/2009 12/12/2009	
				NUMBER OF PROCESSORS NUMBER OF PROCESSORS	8 8				
				F5					
9113	550	0000E2BEB	SWMA FOR AIX	SUBSCRIPTION SUPPORT		13,821.72			
				FULL SHIFT	1				
				NUMBER OF PROCESSORS NUMBER OF PROCESSORS	2 2				
				E5					
9113	550	0000E2BDB	SWMA FOR AIX	SUBSCRIPTION SUPPORT		0.00	10/08/2010	10/08/2010 10/08/2010	
				FULL SHIFT	1				
				NUMBER OF PROCESSORS NUMBER OF PROCESSORS	2 2				
				E5					
			SWMA FOR AIX	SUBSCRIPTION SUPPORT	1	2,303.50			
9117	570	00002C6DE			1	11,518.05			
Subtotal									

See Legend for Details

IBM Schedule for Services

Services List

----------Eligible Machine Description----------

Type	Model	Serial/ Order Number	Support Service	Product Group / Service Option	Qty.	Charges[4]	Services Start	Charges Start[5]	Charges Stop[5]
9115	505	000021B0A	SWMA FOR AIX	D5 NUMBER OF PROCESSORS FULL SHIFT	2				
				SUBSCRIPTION SUPPORT D5 NUMBER OF PROCESSORS FULL SHIFT	1 2	423.87	12/12/2009	12/12/2009 12/12/2009	
9115	505	000021B1A	SWMA FOR AIX	SUBSCRIPTION SUPPORT F5 NUMBER OF PROCESSORS NUMBER OF PROCESSORS FULL SHIFT	1 8 8 1	13,821.72			
9117	570	0000FC45F	SWMA FOR AIX ALF	AFTER LICENSE FEE CUST NOT CURRENT 3-4 MTHS NUMBER OF PROCESSORS NUMBER OF PROCESSORS E5	1 2 2	315.00 O			
9113	550	0000E2BDB	SWMA FOR AIX ALF	AFTER LICENSE FEE CUST NOT CURRENT 3-4 MTHS NUMBER OF PROCESSORS NUMBER OF PROCESSORS	1 8 8	2,032.80 O			

See Legend for Details

IBM Schedule for Services

Services List

----------Eligible Machine Description----------

Type	Model	Serial/ Order Number	Support Service	Product Group / Service Option	Qty.	Charges [4]	Services Start	Charges Start [5]	Charges Stop [6]
9117	570	0000FC44F	SWMA FOR AIX ALF	F5					
				AFTER LICENSE FEE CUST NOT CURRENT 3-4 MTHS	1	2,032.80 O			
				NUMBER OF PROCESSORS	8				
				NUMBER OF PROCESSORS	8				
9117	570	0000FC45F		F5	1	30,794.68			

Subtotal $ 42,312.73

Total Charge Period Charges for Services List

Note: One Time Charges are not included in these totals.
See Legend for Details

IBM Schedule for Services

Legends:

[1] Charge adjustments related to inventory and service changes will be accumulated and invoiced with your next standard invoicing cycle (may be sooner for annual or semiannual payment plans)

[2] TYPE OF SERVICE

A) On-Site Repair/Exchange Services, Monday through Friday (excluding holidays), 8am to 5pm, next business day
B) On-Site Repair/Exchange Services, 7 days a week, 24hrs/day.
C) On-Site Repair/Exchange Services, Monday through Friday (excluding holidays), 8am to 5pm, 4 hour response objective
   This type of repair service includes a response objective and is not a guarantee.
D) On-Site Repair/Exchange Services, 7 days a week, 24hrs/day, 2 hour response objective.
   This type of repair service includes a response objective and is not a guarantee.
X) EasyServe (remotely delivered services)

[3] MAINTENANCE SERVICES

1) Maintenance of IBM Machines
2) Maintenance of non-IBM Machines
3) Warranty Service Upgrade
4) Maintenance of Cisco Products
5) Maintenance of IBM Machines - Enhanced Service Response
6) Service for Machines Withdrawn from IBM Maintenance
7) Non-IBM Service for Machines Withdrawn from IBM Maintenance
8) Maintenance of IBM Machines (Labor Only)
9) Non-IBM Memory Exchange
10) Enhanced Parts Inventory
11) Spare Machine
12) Key Operator Support
13) Maintenance of non-IBM Machines during the Manufacturer's Warranty Period
16) IBM Maintenance Services - First Line Maintenance for Wincor Nixdorf ATMs
17) IBM Maintenance Services - Applications Maintenance Services for Wincor Nixdorf ATMs
18) Post Installation Coverage (PIC) Service Upgrade, for selected Non-IBM Machines

[4] Charges shown are for the Charge Period

A (C)   indicates a Machine that will have Usage Charges billed separately
An (E) indicates a Machine that has been announced as withdrawn from generally available Maintenance Service
An (H) identifies a Machine on an existing ServiceElite/ServiceSuite/ ServiceElect CHIS contract with duplicate Maintenance Services Coverage
A (K)   indicates Assumptive Products included in the total Charge Period Price that are based on the customer provided configuration
An (N) indicates that the product is a non-GSA Schedule item
An (O) indicates a One Time Charge
An (P) indicates averaged billing or annual prepayment
An (R) indicates the usage charge rate (Feet, Hours, or Impressions) for a machine under a usage plan
A (U)   indicates Usage Charges which are measured in either Feet, Hours, or Impressions
A (W)   indicates a Machine under Warranty
An (X) indicates On-order Products which are shown for planning purposes only
A (Y)   indicates On-order MES products which are shown for planning purposes only. These charges are included in the related machine.

[5] Charges Start/Stop dates shown are those that differ from the Contract Period Start/End Dates

IBM Schedule for Services

This Schedule contains a listing of the Eligible Machines at the Specified Locations identified below for which we will provide the identified Services as described in the referenced Statement of Work. These terms are in addition to those of the referenced Statement of Work and IBM International Customer Agreement (or any equivalent signed by both of us and identified below).

Name and Address of Customer:

CITY OF ATLANTA
COA DEPT OF FINANCE

Business Partner Name and Address:

Customer Billing Address:

CITY OF ATLANTA
COA DEPT OF FINANCE
ACCOUNTS PAYABLE
68 MITCHELL ST SW RM 600
ATLANTA   GA 30303-3520

Agreement Number:	A2930K
Statement of Work Number:	00603011
Customer Number:	

Revised Schedule (Yes/No):	No
Schedule Effective Date:	09/03/2009
Proposal Reference Date:	07/01/2009

N C B G G T

Charge Period Charges / Payment Plan (Inclusive of MES):

WSU One Time Charges:	0.00
SWMA ALF One Time Charges:	0.00
MMS for CISCO HW One Time Charges:	0.00
One Time Charges:	0.00

*Maintenance Charges:	96,635.33
Service Charges:	0.00

Charge Period:

Start Date:	07/01/2009
End Date:	06/30/2010

*TOTAL CHARGE PERIOD CHARGES: 96,635.33
Quarterly

¹Accumulated Adjustment Invoicing option: N

Contract Term: 3 Year(s)   48,317.70

Type of Discount(s) Applied: Term Incentive

* Charges are based on the current inventory and services identified in this Schedule. Actual charges may vary with any additions, deletions, or changes to the inventory or services. Any applicable taxes are not included in the charge amounts herein but will be added to your invoice.

¹ For a Machine subject to usage charges, in addition to the Service charge identified herein, you will be separately billed for usage in accordance with applicable usage rates and billing cycles.

The Parties need not to sign this Schedule, unless either of us requests it.

Agreed to:

International Business Machines Corporation

By: _____
Authorized signature

Name (type or print): _____

Date: _____

Agreed to:

By: _____
Authorized signature

Name (type or print): _____

Date: _____

IBM   Schedule for Services

Enterprise Total for Charge Period by Customer Number Inclusive of MES:

Customer No.	Customer Name	Customer Location	Charges [4]
00599551	CITY OF ATLANTA	55 TRINITY AVE, SUITE G700, ATLANTA GA 30303-3520	1,245.48
00600089	CITY OF ATLANTA	170 GARNETT ST SW, 3RF FLR, ATLANTA GA 30303-3612	2,496.78
00601345	CITY OF ATLANTA	55 TRINITY AVE SW-GRD FL, ATT ROGER REEVES, ATLANTA GA 30303-3520	58,371.74
00603011	CITY OF ATLANTA	55 TRINITY AVE SW, STE 775, ATLANTA GA 30303-3520	7,248.81
00606121	CITY OF ATLANTA	55 TRINITY AVE SW, STE 775, ATLANTA GA 30303-3520	25,817.52
00614857	CITY OF ATLANTA	55 TRINITY AVE SW-GRD FL, DATA PROCESSING DIV, ATLANTA GA 30303-3520	1,455.00
Total			**96,635.33**

Note: One Time Charges are not included in the Total

IBM Schedule for Services

Maintenance Machine List

------Eligible Machine Description------

Mfg	Type	Mod/Feat	Add/Rem	Order/Serial Number	Related Order/Serial Number	Product Description	Qty.	Type of Svc[2]	Maint Svc[3]	Charges[4]	Charges Start[5]	Charges Stop[6]
Specified Location: 00599551						**City, State: ATLANTA**					**GA 30303-3520**	
IBM	9406	600		0000H2136		AS/400E SYSTEM UNIT	1	B	1	1,245.48 H		
Subtotal Without MES										1,245.48		
Subtotal With MES										1,245.48		
Specified Location: 00600089						**City, State: ATLANTA**					**GA 30303-3612**	
IBM	9406	F35		0000B3999		AS/400 SYSTEM UNIT	1	B	1	2,496.78 EH	12/31/2009	
Subtotal Without MES										2,496.78		
Subtotal With MES										2,496.78		
Specified Location: 00601345						**City, State: ATLANTA**					**GA 30303-3520**	
IBM	3534	F08		00131 2125		TOTALSTORAGE SAN SWITCH	1	A	1	434.10 EH	12/31/2009	
IBM	3534	F08		00131 2162		TOTALSTORAGE SAN SWITCH	1	A	1	434.10 EH	12/31/2009	
IBM	3552	1RU		0023A0896		FASTT 500 STORAGE SERVER	1	B	1	1,729.51 H		
IBM	3560	1RU		0023A3654		FASTT EXP500	1	B	1	733.32 H		
IBM	3560	1RU		0023A3656		FASTT EXP500	1	B	1	733.32 H		
IBM	3560	1RU		0023A3671		FASTT EXP500	1	B	1	733.32 H		
IBM	3560	1RU		0023A3674		FASTT EXP500	1	B	1	733.32 H		
IBM	3560	1RU		0023A3853		FASTT EXP500	1	B	1	733.32 H		
IBM	3560	1RU		0023C2907		FASTT EXP500	1	B	1	733.32 H		
IBM	3600	R20		001A00559		LTO	1	B	1	2,677.20 H		
IBM	3600	R20		008A001TN		LTO	1	B	1	2,677.20 H		
IBM	8654	41Y		0023L5372		XSER330 933 256 256/0HD S	1	B	1	485.00 H		
IBM	8654	51Y		0023M6956		XSER330 1.0G 256 256/0HD S	1	B	1	485.00 H		
IBM	8656	4RY		0023G9552		NF4500R 866 256 128/0HD S	1	B	1	1,455.00 H		
IBM	8658	4RY		0023FFC89		NF5100 866 256 128/0HD S	1	B	1	1,455.00 H		

See Legend for Details

IBM Schedule for Services

Maintenance Machine List

------Eligible Machine Description------

Mfg	Type	Mod/Feat	Add/Rem	Order/Serial Number	Related Order/Serial Number	Product Description	Qty.	Type of Svc²	Maint Svc³	Charges⁴	Charges Start⁵	Charges Stop⁶
IBM	8658	4RY		0023FFD77		NF5100 866 256 128/0HD S	1	B	1	1,455.00 H		
IBM	8658	4RY		0023FFF08		NF5100 866 256 128/0HD S	1	B	1	1,455.00 H		
IBM	8658	4RY		0023FFF13		NF5100 866 256 128/0HD S	1	B	1	1,455.00 H		
IBM	8658	4RY		0023FFF17		NF5100 866 256 128/0HD S	1	B	1	1,455.00 H		
IBM	8658	4RY		0023FFF30		NF5100 866 256 128/0HD S	1	B	1	1,455.00 H		
IBM	8658	4RY		0023FFF37		NF5100 866 256 128/0HD S	1	B	1	1,455.00 H		
IBM	8658	4RY		0023FFK91		NF5100 866 256 128/0HD S	1	B	1	1,455.00 H		
IBM	8658	4RY		0023FFK92		NF5100 866 256 128/0HD S	1	B	1	1,455.00 H		
IBM	8658	4RY		0023FFK94		NF5100 866 256 128/0HD S	1	B	1	1,455.00 H		
IBM	8658	4RY		0023FFK95		NF5100 866 256 128/0HD S	1	B	1	1,455.00 H		
IBM	8658	4RY		0023FFK98		NF5100 866 256 128/0HD S	1	B	1	1,455.00 H		
IBM	8658	4RY		0023FFK99		NF5100 866 256 128/0HD S	1	B	1	1,455.00 H		
IBM	8658	4RY		0023FFL02		NF5100 866 256 128/0HD S	1	B	1	1,455.00 H		
IBM	8658	4RY		0023FFL04		NF5100 866 256 128/0HD S	1	B	1	1,455.00 H		
IBM	8658	4RY		0023FFL05		NF5100 866 256 128/0HD S	1	B	1	1,455.00 H		
IBM	8658	4RY		0023FFL06		NF5100 866 256 128/0HD S	1	B	1	1,455.00 H		
IBM	8658	4RY		0023FFL14		NF5100 866 256 128/0HD S	1	B	1	1,455.00 H		
IBM	8658	4RY		0023FFL16		NF5100 866 256 128/0HD S	1	B	1	1,455.00 H		
IBM	8658	4RY		0023FFL19		NF5100 866 256 128/0HD S	1	B	1	1,455.00 H		
IBM	8658	4RY		0023FFL21		NF5100 866 256 128/0HD S	1	B	1	1,455.00 H		
IBM	8658	4RY		0023FFL79		NF5100 866 256 128/0HD S	1	B	1	1,455.00 H		
IBM	8665	61Y		0023Y2448		XSER250 700 1 512/0HD S	1	B	1	1,455.00 H		
IBM	8669	2RX		0023A7563		XSER342 1.13G 512 256/0HD S	1	B	1	654.75 H		
IBM	8670	11X		0078AG586		XSER345 2.0G 512 512/OHD S	1	B	1	654.75 H		
IBM	8682	4RY		0023F2923		XSER350 700 1 512/0HD S	1	B	1	1,455.00 H		
IBM	8682	4RY		0023F2945		XSER350 700 1 512/0HD S	1	B	1	1,455.00 H		
IBM	8682	4RY		0023F3052		XSER350 700 1 512/0HD S	1	B	1	1,455.00 H		
IBM	8686	8RX		0078NKRM4		XSER360 2X1.9G 1MB 2GB/0HD S	1	B	1	776.00 H		
IBM	9306	900		0023R2778		NETFINITY RACK	1	B	1	429.71 H		
IBM	9306	900		0023R2780		NETFINITY RACK	1	B	1	429.71 H		
IBM	9306	900		0023R2783		NETFINITY RACK	1	B	1	429.71 H		

See Legend for Details

IBM Schedule for Services

Maintenance Machine List

--------Eligible Machine Description--------

Mfg	Type	Mod/Feat	Add/Rem	Order/Serial Number	Related Order/Serial Number	Product Description	Qty.	Type of Svc²	Maint Svc³	Charges⁴	Charges Start⁵	Charges Stop⁶
IBM	9306	900		0023R2804		NETFINITY RACK	1	B	1	429.71 H	07/05/2010	
IBM	9308	42E		0023B4273		NETBAY42 EXP RACK CABINET	1	B	1	443.29 H	07/16/2010	
IBM	9308	42E		0023B6251		NETBAY42 EXP RACK CABINET	1	B	1	443.29 H	07/16/2010	
IBM	9308	42E		0023C2921		NETBAY42 EXP RACK CABINET	1	B	1	443.29 H	07/16/2010	
IBM	9511	AG1		0055F6379		MONT54A 15.0TFT 15.0 VIEWABLE	1	A	1	126.10 H		
IBM	9511	AG1		0055F6380		MONT54A 15.0TFT 15.0 VIEWABLE	1	A	1	126.10 H		
IBM	9511	AG1		0055G3574		MONT54A 15.0TFT 15.0 VIEWABLE	1	A	1	126.10 H		
IBM	9511	AG1		0055G3579		MONT54A 15.0TFT 15.0 VIEWABLE	1	A	1	126.10 H		
IBM	9511	AG4		0055K9445		T540 15.0INLCD 15.0V BLK MPR	1	A	1	126.10 H		
Subtotal Without MES										58,371.74		
Subtotal With MES										58,371.74		
Specified Location: 00603011						**City, State: ATLANTA GA 30303-3520**						
IBM	1812	81A		00136987C		DS4000 EXP810 EXPANSION UNIT	1	B	1	0.00 WH	07/16/2010	
IBM	2861	001		000006365		EXN1000 SATA EXPANSION UNIT	1	A	1	0.00 WH	07/16/2010	
IBM	2861	001		000006366		EXN1000 SATA EXPANSION UNIT	1	A	1	0.00 WH	07/16/2010	
IBM	2864	A20		000001346		N5200 MODEL A10	1	A	1	0.00 WH	07/16/2010	
IBM	6885	45H		0023DP715		PC750 PENTIUM90 PROC	1	A	1	96.03 H		
IBM	8677	3XU		00KQKLP8T		BLADECENTER HS20 CHASSIS	1	A	1	659.60 H		
IBM	8840	25U		00KQLHW8C		XSER346 3.2G 2MB 1GB/0HDD	1	B	1	654.75 H		
IBM	8843	L1U		00KQKZW2N		BC HS20 2.8G 1MB 512 0/HDD	1	B	1	388.00 H		
IBM	8843	L1U		00KQKZW2X		BC HS20 2.8G 1MB 512 0/HDD	1	B	1	388.00 H		
IBM	8843	L1U		00KQLBV8M		BC HS20 2.8G 1MB 512 0/HDD	1	B	1	388.00 H		
IBM	8843	L1U		00KQLBV8N		BC HS20 2.8G 1MB 512 0/HDD	1	B	1	388.00 H		
IBM	8843	L1U		00KQLFD1T		BC HS20 2.8G 1MB 512 0/HDD	1	B	1	388.00 H		
IBM	8843	L1U		00KQLFP9B		BC HS20 2.8G 1MB 512 0/HDD	1	B	1	388.00 H		
IBM	8843	L1U		00KQLFP9W		BC HS20 2.8G 1MB 512 0/HDD	1	B	1	388.00 H		
IBM	8843	L1U		00KQLFP9X		BC HS20 2.8G 1MB 512 0/HDD	1	B	1	388.00 H		

See Legend for Details

IBM Schedule for Services

Maintenance Machine List

-----Eligible Machine Description-----

Mfg	Type	Mod/Feat	Add/Rem	Order/Serial Number	Related Order/Serial Number	Product Description	Qty.	Type of Svc[2]	Maint Svc[3]	Charges[4]	Charges Start[5]	Charges Stop[5]
IBM	8843	L1U		00KQLFP9Y		BC HS20 2.8G 1MB 512 0/HDD	1	B	1	388.00 H		
IBM	8843	L1U		00KQLFP9Z		BC HS20 2.8G 1MB 512 0/HDD	1	B	1	388.00 H		
IBM	8843	L1U		00KQLFR0C		BC HS20 2.8G 1MB 512 0/HDD	1	B	1	388.00 H		
IBM	8843	L1U		00KQLHP6D		BC HS20 2.8G 1MB 512 0/HDD	1	B	1	388.00 H		
IBM	9115	505		000021B0A		SYSTEM P5	1	A	1	308.85 WH	12/12/2009	
IBM	9115	505		000021B1A		SYSTEM P5	1	A	1	308.85 WH	12/12/2009	
IBM	9133	55A		00002B1EH		SYSTEM P5	1	A	1	564.73 WH	04/09/2010	

Subtotal Without MES   7,248.81

Subtotal With MES   7,248.81

Specified Location: 00606121   **City, State: ATLANTA**   **GA 30303-3520**

Mfg	Type	Mod/Feat	Add/Rem	Order/Serial Number	Related Order/Serial Number	Product Description	Qty.	Type of Svc[2]	Maint Svc[3]	Charges[4]	Charges Start[5]	Charges Stop[5]
IBM	3900	001	.	00001 0305		ADVANCED FUNCTION PRINTER	1	B	1	20,544.60 CH		
IBM	4224	201		0000DM267		IPDS PRINTER 200 CPS MAX	1	B	1	384.12 H		
IBM	4230	202		0000DB563		PRINTER COAX-480 CPS	1	B	1	523.80 H		
IBM	4230	2S2		0000DP004		PRINTER COAX 480 CPS	1	B	1	523.80 H		
IBM	4245	012		000021126		PRINTER	1	B	1	3,841.20 H		

Subtotal Without MES   25,817.52

Subtotal With MES   25,817.52

Specified Location: 00614857   **City, State: ATLANTA**   **GA 30303-3520**

Mfg	Type	Mod/Feat	Add/Rem	Order/Serial Number	Related Order/Serial Number	Product Description	Qty.	Type of Svc[2]	Maint Svc[3]	Charges[4]	Charges Start[5]	Charges Stop[5]
IBM	8658	4RY		0023FFC96		NF5100 866 256 128/0HD S	1	B	1	1,455.00 H		

Subtotal Without MES   1,455.00

Subtotal With MES   1,455.00

See Legend for Details

IBM Schedule for Services

Maintenance Machine List

------Eligible Machine Description------

Mfg	Type	Mod/ Feat	Add/ Rem	Order/ Serial Number	Related Order/ Serial Number	Product Description	Qty.	Type of Svc[2]	Maint. Svc[3]	Charges[4]	Charges Start[5]	Charges Stop[6]

Total Charge Period Charges for Maintenance Machine List Without MES $96,635.33

Total Charge Period Charges for Maintenance Machine List With MES $96,635.33

See Legend for Details

Legends:

[1] Charge adjustments related to inventory and service changes will be accumulated and invoiced with your next standard invoicing cycle (may be sooner for annual or semiannual payment plans)

[2] TYPE OF SERVICE

A) On-Site Repair/Exchange Services, Monday through Friday (excluding holidays), 8am to 5pm, next business day
B) On-Site Repair/Exchange Services, 7 days a week, 24hrs/day.
C) On-Site Repair/Exchange Services, Monday through Friday (excluding holidays), 8am to 5pm, 4 hour response objective
This type of repair service includes a response objective and is not a guarantee.
D) On-Site Repair/Exchange Services, 7 days a week, 24hrs/day, 2 hour response objective.
This type of repair service includes a response objective and is not a guarantee.
X) EasyServe (remotely delivered services)

[3] MAINTENANCE SERVICES

1) Maintenance of IBM Machines
2) Maintenance of non-IBM Machines
3) Warranty Service Upgrade
4) Maintenance of Cisco Products
5) Maintenance of IBM Machines - Enhanced Service Response
6) Service for Machines Withdrawn from IBM Maintenance
7) Non-IBM Service for Machines Withdrawn from IBM Maintenance
8) Maintenance of IBM Machines (Labor Only)
9) Non-IBM Memory Exchange
10) Enhanced Parts Inventory
11) Spare Machine
12) Key Operator Support
13) Maintenance of non-IBM Machines during the Manufacturer's Warranty Period
16) IBM Maintenance Services - First Line Maintenance for Wincor Nixdorf ATMs
17) IBM Maintenance Services - Applications Maintenance Services for Wincor Nixdorf ATMs
18) Post Installation Coverage (PIC) Service Upgrade, for selected Non-IBM Machines

[4] Charges shown are for the Charge Period

A (C) indicates a Machine that will have Usage Charges billed separately
An (E) indicates a Machine that has been announced as withdrawn from generally available Maintenance Service
An (H) identifies a Machine on an existing ServiceElite/ServiceSuite/ ServiceElect CHIS contract with duplicate Maintenance Services Coverage
A (K) indicates Assumptive Products included in the total Charge Period Price that are based on the customer provided configuration
An (N) indicates that the product is a non-GSA Schedule item
An (O) indicates a One Time Charge
An (P) indicates averaged billing or annual prepayment
An (R) indicates the usage charge rate (Feet, Hours, or Impressions) for a machine under a usage plan
A (U) indicates Usage Charges which are measured in either Feet, Hours, or Impressions
A (W) indicates a Machine under Warranty
An (X) indicates On-order Products which are shown for planning purposes only
A (Y) indicates On-order MES products which are shown for planning purposes only. These charges are included in the related machine.

[5] Charges Start/Stop dates shown are those that differ from the Contract Period Start/End Dates

Part II: Legislative White Paper: (This portion of the Legislative Request Form will be shared with City Council members and staff)

A. To be completed by Legislative Counsel:

Committee of Purview: FINANCE/EXECUTIVE

Caption:
AN ORDINANCE AUTHORIZING THE MAYOR OR HER DESIGNEE TO WAIVE THE PAYMENT PROVISIONS CONTAINED IN THE CITY OF ATLANTA CODE OF ORDINANCES, ARTICLE X, PROCUREMENT AND REAL ESTATE CODE, TO RATIFY THE PRIOR PROVISION OF SUPPORT SERVICES BY INTERNATIONAL BUSINESS MACHINES CORPORATION SINCE JULY 1, 2009 FOR HARDWARE AND SOFTWARE MAINTENANCE AND SUPPORT, ON BEHALF OF THE DEPARTMENT OF INFORMATION TECHNOLOGY IN AN AMOUNT NOT TO EXCEED ONE HUNDRED FIFTY-ONE THOUSAND, ONE HUNDRED SEVENTY-FOUR DOLLARS AND SEVEN CENTS ($151,174.07) ALL CONTRACTED WORK SHALL BE CHARGED TO AND PAID FROM FUND, DEPARTMENT ORGANIZATION AND ACCOUNT NUMBER 1001 (GENERAL FUND) 050212 (IT SERVER MANAGEMENT) 5222002 (REPAIR & MAINTENANCE-EQUIPMENT) 1535000 (DATA PROCESSING/ MANAGEMENT INFORMATION SYSTEM); AND FOR OTHER PURPOSES.

Council Meeting Date: December 2, 2009

Requesting Dept.: Information Technology

B. To be completed by the department:

1. **Please provide a summary of the purpose of this legislation (Justification Statement).**

   DIT would like to ratify the prior provision of the software support and maintenance services by IBM, and authorize payment to IBM for unpaid services rendered for the service year that began on July 1, 2009 through December 14, 2009 in an amount not to exceed One Hundred Fifty-One Thousand, One Hundred Seventy-Four Dollars and Seven Cents ($151,174.07)

2. **Please provide background information regarding this legislation.**

   The City entered into an agreement with International Business Machines Corporation ("IBM") for a Thirty-Six (36) month blanket purchase order for hardware and software purchases, maintenance and support, pursuant to

Resolution 05-R-1537 adopted by the Atlanta City Council on September 6, 2005 and approved by the Mayor on September 12, 2005; and the maintenance on the hardware expired on various dates in 2008 corresponding to when the hardware was put into service and IBM has continued to provide services that are necessary functions for the City after the expiration date.

3. If Applicable/Known:

(a) **Contract Type (e.g. Professional Services, Construction Agreement, etc):** Software Maintenance and Support

(b) **Source Selection:** Cooperative Purchase

(c) **Bids/Proposals Due:**

(d) **Invitations Issued:**

(e) **Number of Bids:**

(f) **Proposals Received:**

(g) **Bidders/Proponents:**

(h) **Term of Contract:** 6 months

4. Fund Account: 1001 (General Fund) 050212 (It Server Management) 5222002 (Repair & Maintenance-Equipment) 1535000 (Data Processing/ Management Information System);

6. Fiscal Impact: $151,174.07

7. Method of Cost Recovery:

This Legislative Request Form Was Prepared By: Kathleen Lane, DIT Compliance Analyst

Legislation Summary

Committee of Purview:

<u>Caption</u>
An ordinance authorizing the Mayor to execute an appropriate contractual agreement on behalf of the Department of Information Technology with International Business Machines Corporation ("IBM") in an amount not to exceed one hundred fifty one thousand one hundred seventy four dollars and seven cents ($151,174.07). All contract work shall be charged to and paid from fund account and center number: 1001 (General Fund), 050212 (IT Server Management), 522002 (Repair & Maintenance-Equipment), 1535000 (Data Processing/Management Information System).

Council Meeting Date:	December 07, 2009
Legislation Title:	Ordinance authorizing the Chief Procurement Officer to Remit Payment utilize in Pursuant to waive Article X ("The Procurement and Real Estate Code") of the Atlanta City Code for Hardware and Software Maintenance and Support Services to Ratify the Prior Provision of Services since July 01, 2009 on behalf of the Department of Information Technology with International Business Machines Corporation ("IBM") in an amount not to exceed one hundred fifty one thousand one hundred seventy four dollars and seven cents ($151,174.07). All contract work shall be charged to and paid from fund account and center number: 1001 (General Fund), 050212 (IT Server Management), 522002 (Repair & Maintenance-Equipment), 1535000 (Data Processing/Management Information System).
Requesting Department:	Department of Information Technology
Contract Type:	N/A
Source Selection:	Waive Article X ("The Procurement and Real Estate Code") of the Atlanta City Code
Bids/Proposals Due:	N/A
Invitations Issued:	N/A

Number of Bids/ Proposals Received:	N/A
Bidders/Proponents:	N/A
Justification Statement:	N/A
Background:	N/A
Fund Account Centers:	1001 (General Fund), 050212 (IT Server Management), 522002 (Repair & Maintenance-Equipment), 1535000 (Data Processing/Management Information System).
Source of Funds:	N/A
Fiscal Impact:	N/A
Term of Contract:	N/A
Method of Cost Recovery:	N/A
Approval: **DOF:** **DOL:**	
Prepared By:	Patricia Lowe, Buyer
Contact Number:	404.330.6583

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE   ATTN: GREG PRIDGEON

Dept.'s Legislative Liaison: Kathleen Lane

Contact Number: 404-335-1983

Originating Department: Department of Information Technology

Committee(s) of Purview: Finance/Executive Committee

Chief of Staff Deadline: October 27, 2009

Anticipated Committee Meeting Date(s):   November 12 & December 2, 2009

Anticipated Full Council Date: December 7, 2009

Legislative Counsel's Signature:

Commissioner Signature:
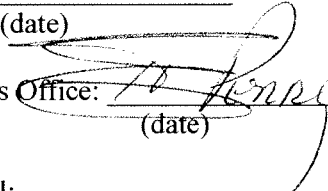
Chief Procurement Officer Signature:

CAPTION
AN ORDINANCE AUTHORIZING THE MAYOR OR HER DESIGNEE TO WAIVE THE PAYMENT PROVISIONS CONTAINED IN THE CITY OF ATLANTA CODE OF ORDINANCES, ARTICLE X, PROCUREMENT AND REAL ESTATE CODE, TO RATIFY THE PRIOR PROVISION OF SUPPORT SERVICES BY INTERNATIONAL BUSINESS MACHINES CORPORATION SINCE JULY 1, 2009 FOR HARDWARE AND SOFTWARE MAINTENANCE AND SUPPORT, ON BEHALF OF THE DEPARTMENT OF INFORMATION TECHNOLOGY IN AN AMOUNT NOT TO EXCEED ONE HUNDRED FIFTY-ONE THOUSAND, ONE HUNDRED SEVENTY-FOUR DOLLARS AND SEVEN CENTS ($151,174.07) ALL CONTRACTED WORK SHALL BE CHARGED TO AND PAID FROM FUND, DEPARTMENT ORGANIZATION AND ACCOUNT NUMBER 1001 (GENERAL FUND) 050212 (IT SERVER MANAGEMENT) 5222002 (REPAIR & MAINTENANCE-EQUIPMENT) 1535000 (DATA PROCESSING/ MANAGEMENT INFORMATION SYSTEM); AND FOR OTHER PURPOSES.

Mayor's Staff Only

Received by CPO: _____   Received by LC from CPO:_____
                 (date)   (date)

Received by Mayor's Office: _____ / Reviewed by:_____
                           (date)   (date)

Submitted to Council: _____